

## ARTICLE 717

### Noises

- 717.01 Unnecessary noises a nuisance.
- 717.02 Ash, trash, garbage cans.
- 717.03 Peddlers.
- 717.04 Building construction.
- 717.05 Animal noises.
- 717.99 Penalty.

### CROSS REFERENCES

Preventing noises - See 3rd Class §2403(25) [53 P.S. §37403(250)]  
Peddlers declared a nuisance - See BUS. REG. Art. 311  
Disturbing the peace -See GEN. OFF. Art. 705  
Noisy houses - See GEN. OFF. Art. 705

#### 717.01(A) UNNECESSARY NOISES A NUISANCE.

A. The making of unnecessary noises upon, near or adjacent to the streets and other public places in the City by automobile horns, engine whistles, bells, sirens, radios, amplifying systems or otherwise, is declared to be a public nuisance. The making of more than one false alarm within twenty four (24) hours by a car alarm is declared to be a public nuisance. The enumeration of the particular offenses hereinafter particularly defined shall not be construed as limiting the generality of this section or limiting the offenses hereunder to the particular offenses hereinafter enumerated.

#### 717.01(B) SOUND REPRODUCTION DEVICES

(1) No person shall operate or allow to be operated a radio, stereo, boom box, tape and/or CD player or any other type of sound reproduction device in any area within the City at a sound level which is audible at a distance of greater than forty (40) feet from the location of any such sound reproduction device.

(2) No person, while residing or occupying or present in a dwelling, building or other structure, or while driving, occupying or in control of any moving vehicle or parked vehicle, or otherwise, shall operate or allow to be operated a radio, stereo, boom box, tape and/or CD player or any other type of sound reproduction

device in any area within the City at a sound level which is audible at a distance of greater than forty (40) feet from the location of such dwelling, building, or other structure, or the location of such vehicle.

(3) The provisions of section 717.01(B) shall not apply to:

(a) Police, Fire and Ambulance Vehicles, Devices or Buildings.

The emission of sound, including radios, public address systems or other communications devices, from a police, fire and/or ambulance vehicle, device or building.

(b) Municipal and Utility Services Vehicles, Devices or Buildings.

The emission of sound from a municipal and/or utility services vehicle, device or building.

(c) Places of Religious Worship.

The sound of any bell or chime used in conjunction with places of religious worship.

(d) Political and Labor Rallies, Athletic Events or City of Bethlehem Licensed, Permitted or Authorized Events.

The use of devices such as public address systems, amplifying systems, bull horns, musical instruments, tape messages or similar devices which are used at political or labor rallies, or athletic events or other City of Bethlehem licensed, permitted or authorized events.

(Ord. 3946. Passed 3/16/99.)

#### 717.02 ASH, TRASH, GARBAGE CANS.

No person shall make unnecessary noise in the handling of ash, trash and garbage cans, either in loading or unloading, and whether full or empty. (1946 Code C. 18 §9)

#### 717.03 PEDDLERS.

No peddler, who plies a trade or calling of whatsoever nature on the streets, shall use any horn, bell or other sound

instrument, or make any noise tending to disturb the peace and quiet of the neighborhood for the purpose of directing attention to his wares, trade or calling on Sunday, nor before 7:00 A.M. or after 10:00 P.M. on other days of the week. No peddler shall cry his wares within a distance of 150 feet of any school, church or building in which religious services are held, during school hours or hours of public worship. (Ord. 3009 §3. Passed 9/3/85.)

717.04 BUILDING CONSTRUCTION.

No person shall carry on any building construction between the hours of 6:00 P.M. and 6:00 A.M., except by special permit issued by the Community Development Director or his designated representative. (Ord. 3009. Passed 9/3/85.)

717.05 ANIMAL NOISES.

No person shall keep any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in its vicinity. (Ord. 1911 §1. Passed 5/4/65.)

717.99 PENALTY.

Any person who violates any provision of this Article shall be subject to the following penalties:

- (a) First Violation - A fine of \$50.00.
- (b) Second Violation - A fine of \$100.00.
- (c) Third and Each Subsequent Violation - A fine of not less than \$300.00.

(Ord. 3946. Passed 3/16/99.)